App. F. IX-4

Previous References

1931-32
(Murzabi

Later References

General and Revenue Secretariat.

Serial Nos. 2

Part B for August 31

SUBJECT.

Review Petition of Syed Hussain Badsha Khadri re grant of stipend to Syed Khalandar Peer Sha Khadri from the Akkal Sha Khadri Dargah of Chennapatna.

No 2533 dt 13.8.31. to Mr. O.S.N. Sheriff.
Forwards Copy of the order stating that he is not prepared to revise the order already passed in the matter.

No 2534 dt 13-8-31. Copy to Mun. Commr

106

App. F. III—2]

General and Revenue Secretariat. Misc. File No. 19 of 1931

Serial No

Review petition dt. 27-7-31 filed by Mr Sheriff Advocate on behalf of his client Syed Hussain Badsha Khadri at Thimmasandra village Kankanhalli Taluk praying for a revision of orders passed in my appeal 30 dt 29-30 about the redistribution of funds payable from the Akkal Shah Khadri Dargah at Channapatna

The petition is sufficiently stamped & is in time. Kind reference is invited to D.N. in Misc 368-29-7 and dt-o no 25-30-32 dt 19-5-31. In view of the reasons set forth therein, whether the revision petition should be rejected or orders —

E-S MSK 7/8/31

First Member

There are no reasons to reconsider the orders already passed.

No 963 1931

Draft submitted MSK 8/8/31

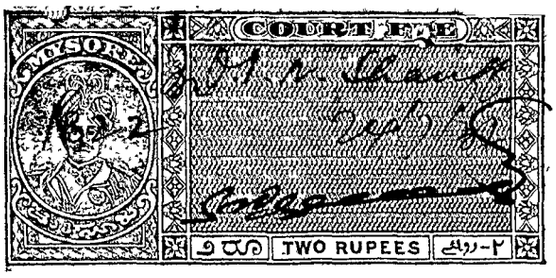
NOTE—Contn Sheet.

WD 02553—G P B—50,000—8 7 30

File No. of 1931 General and Revenue Secretariat

No 253 dt 13.8.31 to the Advocate for petitioners.

No 254 dt 13.8.31 to the Mizoram Commissioner



Muz
Dn 106.
Muz 19-31-3

Mysore
Dn 27/7/31 MU3368-29-7

BEFORE THE GOVERNMENT OF H.H.THE MAHARAJA OF MYSORE

AT BANGALORE

Mis. Muz. Review No. 3 of 1931-32

Syed Hussain Badsha Khadri
son of Syed Burhan Shakhadri
Muslim aged 32 years. and
residing at Thimmarasandra
Village, Kankanhalli Town ... Petitioner

VS

Syed Khalander Peersha
Khadri residing at Makkan
Akkal Sha Khadri Darga
of Chennapatna Respondent

Review Petition

The Petitioner abovenamed begs most respectfully to prefer this Memorandum of Review against the order passed by this Court in Appeal Petition No.30 of 1929-30/End.No.2622/Muz.2368-29-7 dated 6-6-31 on the following amongst other grounds:

1. That this Hon'ble Court erred in granting a stipend of Rs.2-12-0 from the Durga of Akkil Shah Khadri of Chennapatna to the Respondent.

2. That this Hon'ble Court failed to see that the Respondent was not in receipt of any stipend till now although the late Syed Burhan Shah Khadri Sahib was granted an allowance of Rs.5-8-0 from 1-2-1908 (Vide order passed by the Government of H.H.The Maharaja of Mysore bearing No.4017 dated 16-3-1908. The very laches on the part of the Respondent establish that he has no just claim to share in the stipend and in any event by reason of the excessive delay, he is

disentitled to share therein.

3. That the order passed in Appeal Pet.No.30 of 1929-30 is against law and facts of the case and at entire variance of orders passed in this connection by the lower Courts.

4. That this Hon'ble Court further failed to take into consideration the "Maharnama" Exhibit File No.1 dated 2-8-1863 which establishes that the original ancester Syed Badsha himself has made a distinction between the branch of descendants through Shurfa Bee Bee a "Bakira" (virgin) and that though Shareefa Bee a "Saiba" (widow) at the time of marriage. Amongst the "Mashaiyaks" in the special custom of making a distinction between issues through a wife, who was a virgin at the time of her marriage has the force of religious law; hence the Respondent's branch of the family has no right to a share in the stipend and the petitioner's branch above has the sole right to share the full stipend. This Hon'ble Court's order therefore is against custom having the force of Law.

5. Wherefore the Petitioner humbly prays this Hon'ble Court to review its order and restore the Status quo cancelling the grant in favour of the Respondent.

Advocate for the Petitioner

Petitioner

I the Petitioner abovenamed do hereby declare that what is stated above is true to the best of my knowledge and belief this 20th day of July 1931 at Bangalore

Office of the General and
Revenue Secretariat
Tuzrat Branch.

ONE RUPEE

Endorsement No 2622/Muz 368-29-7
Dt 6.6.1931 granted to Syed Khalande
Peersha Khadri Malikam Akkal Shah
Khadri Durga of Chamarajama.

With reference to his appeal
petition No 30 of 29-30 Dt 28th
April 1930 regarding his claim
to certain stipends paid from
Akkal Shah Khadri Durga
Chamarajama, Syed Khalander
Peersha Khadri is informed
that he is granted Rs 2-12-0
per mensem from 19th May
1931 for the benefit of himself
and the other members of

The Grant of Syed Pasha Shah Khadri's family by his Grand wife Khanza Bi Bi ss/o Syed. The allowance of Rs 3-8-0 originally enjoyed by Syed Ghouse Shah Khadri Son of Syed Qasim Shah Khadri which was been drawn by Syed Hussain Bada Khadri of Thimmasandra.

By order
Sd. B. Srinivasa
Financial Secretary to
the Government of His
Highness the Maharaja
of Mysore.

Memo no 2623 of 6.6.1931.

Copy of the above is forwarded to Mr Syed Hussain Badsha Khadri of Thimmasandra Village Kunkanhalli Taluk with the information that he is allowed to draw the balance of Rs 2-12-0

in memorandum of the above allowance for the benefit of himself and the other Members of the branch of Syed Pasha Shah Khadri's family by his first wife Sherfa Bi Bi, with reference to his petition dated the 14th May 1931 on the subject.

By order —

Sd. B. Srinivasa Iyengar

Financial Secretary

to the Government of

His Highness the Maharaja

of Mysore.

Copy applied for on 9-6-31

Copy ready on 17.6.1931

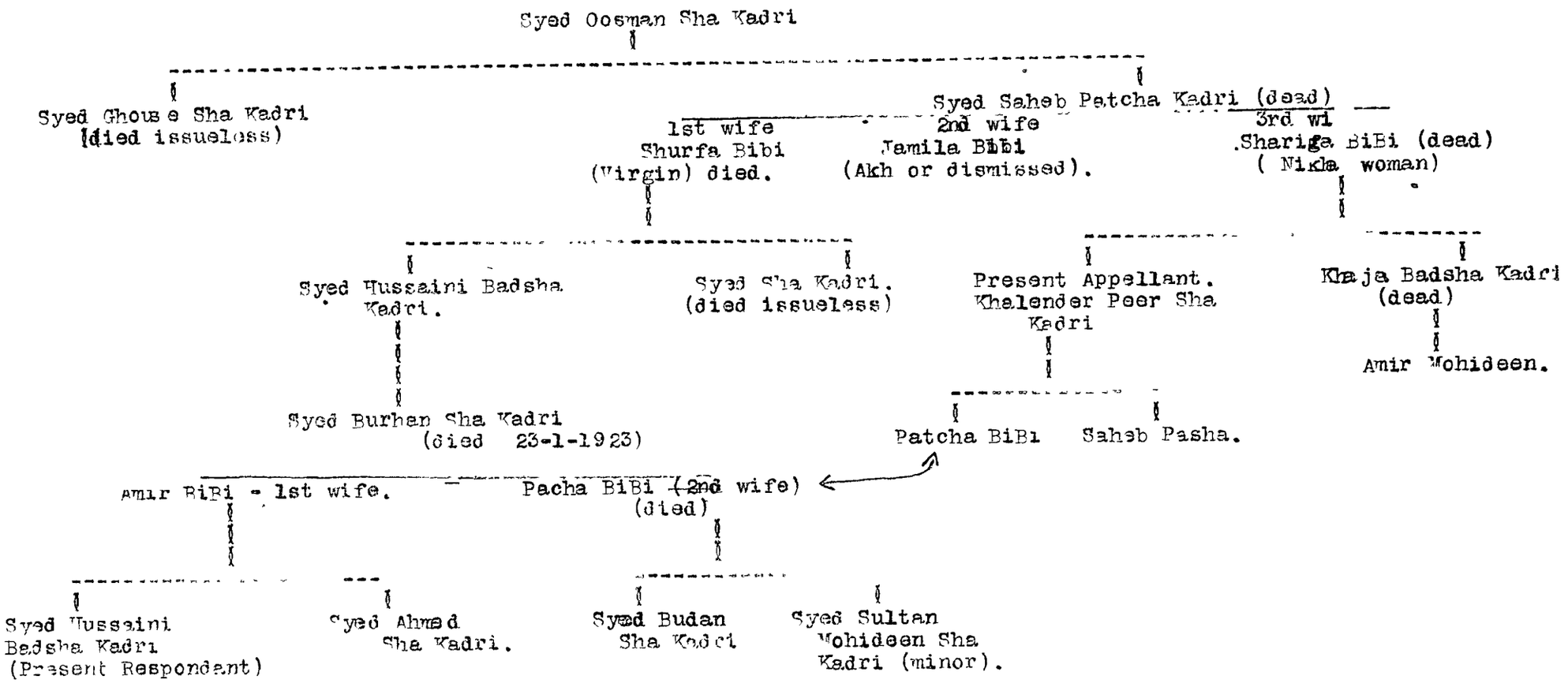
Number of words 254

Copying and comparing Charges } 0-7-6.

Copied by G.S

Compared by [illegible]

Geneological Table.

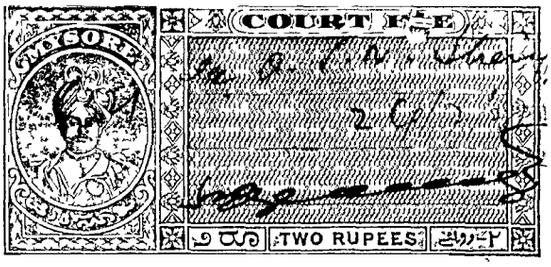

Syed Oosman Sha Kadri
Syed Ghouse Sha Kadri (died issueless)
Syed Saheb Patcha Kadri (dead)
1st wife Shurfa Bibi (Virgin) died.
2nd wife Jamila Bibi (Akh or dismissed).
3rd wi Shariga BiBi (dead) (Nikka woman)
Syed Hussaini Badsha Kadri.
Syed Sha Kadri. (died issueless)
Present Appellant. Khalender Peer Sha Kadri
Khaja Badsha Kadri (dead)
Amir Mohideen.
Syed Burhan Sha Kadri (died 23-1-1923)
Patcha BiBi
Saheb Pasha.
Amir BiBi - 1st wife.
Pacha BiBi (2nd wife) (died)
Syed Hussaini Badsha Kadri (Present Respondant)
Syed Ahmed Sha Kadri.
Syed Budan Sha Kadri
Syed Sultan Mohideen Sha Kadri (minor).

All the three together with Respondent Syed Hussain Badsha Kadri.

వంశవృక్ష నామావళి

శ్రీ 1863 నుండి ఉద్యోగ నిమిత్తం తాండూరు మొదలు చిల్లా త్రిపురాంతకం వరకు నివాసం ఏర్పరచుకొని ఉన్నవారు మా తండ్రిగారు వెంకటరమణయ్యగారు వారి తమ్ముళ్ళు ఇరువురు మా పెదతండ్రిగారు వెంకటసుబ్బయ్యగారు వారి తమ్ముళ్ళు ఇరువురు మొత్తం ఐదుగురు అన్నదమ్ములు ఉండేవారు. ఈ విషయం గ్రహించి మా పెదతండ్రిగారి పెద్దకుమారుడు శ్రీ వెంకటరమణయ్యగారి పెద్దకుమారుడు శ్రీ వెంకటసుబ్బయ్య

నేను అల్లసానితో రాయి వింటిని -
కవి దుర్యోధనుడితో మాట్లాడుతున్నాడు
గాంధారి దుర్యోధనుడితో చెబుతున్నది -
ఆ శిలలలో కవుల గొప్పతనం ఎందుకు ఇచ్చి -



Before the Government of H. H.
~~In the Court of the~~ ..... the Maharaja of Mysore

Mis Mys Rev ~~Suit~~ No. of 1931 ,-1932. Bangalore

~~*Plaintiff/Appellant.*~~ *~~Defendant~~/Respondent.*

Petitioner/~~Complainant.~~ *~~Counter-Petitioner/Accused.~~*

Syed Hussain Badsha Khadri .... } *Vs.* { Syed Khalander Peersha ....

I, Syed Hussain Badsha Khadri Petr do hereby appoint and retain Mr. O. S. N SHERIFF, M.A., (Litt) LL.B., Advocate to appear for me in the above suit / original / miscellaneous petition and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application for execution of any decree or order passed therein. I empower my Advocate to appear in all miscellaneous proceedings in the above suit or matter till all decrees or orders are fully satisfied or adjusted and to obtain the return of documents and draw any money that might be payable to me in the said suit or matter.

The address for service of the said Advocate is No. 149, Commercial Street, C. & M. Station, Bangalore.

Syd Hussain Badsha Khadri

Petitioner.

Personally known to me and signed in my presence.

O. S. Sheriff

Municipal Councillor,
Bangalore City
and
Advocate, Bangalore.

Accepted.

O. S. Sheriff

ADVOCATE,
Bangalore

ed, 27th Jan. 193 1.

In the Court of the..... .....

.....

Suit No. of 193 -193

Plaintiff/Appellant

Petitioner/Complainant

Vs

Defendant/Respondent

Counter Petitioner/Accused

MEMO.

VAKALATANAMA.

Filed on.....193

For the

O. S. N. SHERIFF, M.A., (Litt) LL B.,
Municipal Councillor, Bangalore City,
and
Advocate Bangalore.

Before the Government of H.H. the
Maharaja of Mysore at Bangalore

Mis. Muz. Rev. No. 1931

Syed Hussain Badsha
Khadri .... Petitioner

VS

Syed Khalander Peersha
Khadri .... Respondent

M e m o

1. Review Petition

2. Order No.2622/Muz.2368-29-7 dated
6-6-1931

3. A Vokalathnama

Filed on 27th July 1931

For the Petitioner

O.S.N.Sheriff Esq., M.A., (Litt) L.L.B
Advocate & Municipal Councillor
149, Commercial Street,
Bangal

Before the Government of His Highness the Maharaja of Mysore.

Muzrai Review ~~Appeal~~ No. 3 of 1931-32

Petitioner
~~Appellant.~~

Vs.

Counterpetitioner
~~Respondent.~~

Syed Hussain Badsha Khadri
Timmiasandra, Kankanhalli Town

Syed Khalander Peersha Khadri
of the A.K. Kan. A.K. Durga
Chamarajpatna

Subject.

Revision of Orders issued in Endt- No. 2622/Muz. 368-29-7 dated 6.6.31 ~~dividing the property equally between Syed Hussain Shah Khadri from the A.K. Kal Shah Khadri Dargah at Chamarajpatna between the petitioner and the counterpetitioner and~~ granting a stipend of Rs 2-12-0 per month to Syed Khalander Peersha Khadri from the Durga of the A.K. Kal Shah Khadri of Chamarajpatna

Order

There are no reasons to reconsider the orders already passed.

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5 8 31 Copy to Mr O.S.N. Sheriff M.A. LL.B., Advocate, 149, 219-31-2 Commercial Street, C&M Stn, Bangalore for information and 3 8 31 communication to the petitioner.

25 8 Copy to M.L.
Muz 19-2
8 13.8.31

B.O.
10.8.31
For M Secy to Govt

10/8

GPE—600—12-8-18

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE

MAHARAJA OF MYSORE.

Muzrai Review No.3 of 1931-32.

Petitioner.	Counterpetitioner.
Syed Hussain Badsha Khadri, Timmasandra, Kankanhalli Town.	Syed Khalander Peersha Khadri Makkan, Akkal Shah Khadri Dargah, Channapatna.

—

Subject.

Revision of order issued in Endorsement No.2622/Muz.368-29-7 dated 6th June 1931 granting a stipend of Rs.2-12-0 per month to Syed Khalander Peersha Khadri from the Durga of the Akkal Shah Khadri of Channapatna.

—

Order.

There are no reasons to reconsider the orders already passed.

—

V Subramanyadatta
For Secretary to Govt
GS & H Depts